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MCNETT & HENRY LLP**  
PATENT & TRADEMARK ATTORNEYS

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FACSIMILE TRANSMITTAL SHEET

<b>TO:</b> U.S. Patent and Trademark Office	<b>FROM:</b> C. David Emhardt
<b>FAX NUMBER:</b> 703.872.9306	<b>DATE:</b> June 28, 2005
<b>YOUR REFERENCE NUMBER:</b> Serial No.: 10/615,227 Inventor: Ricardo Sasso Filing Date: July 8, 2003 Examiner/Group Art: 3737	<b>TOTAL NO. OF PAGES INCLUDING COVER:</b> 9 <b>SENDER'S REFERENCE NUMBER:</b> 3076-4 <b>RE:</b>

☐ URGENT  
 ☐ FOR REVIEW  
 ☐ PLEASE COMMENT  
 ☐ PLEASE REPLY  
 ☐ PLEASE RECYCLE

NOTES/COMMENTS:

**Attached please find:**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Credit Card Form PTO-2038 <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> Preliminary <input type="checkbox"/> After final <input type="checkbox"/> With affidavits/declarations <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Declaration/Power of Attorney <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Exhibit A Exhibit B
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Doc. 350402

**IN THE UNITED STATES**  
**PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner
Ricardo Sasso	)	William C. Jung
	)	
Serial No. 10/615,227	)	Group Art Unit 3737
	)	
Filed: July 8, 2003	)	Ref. No.: 3076-4
	)	
INSTRUMENTATION AND METHOD	)	
FOR MOUNTING A SURGICAL	)	
NAVIGATION REFERENCE DEVICE	)	
TO A PATIENT	)	

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Introductory Comments**

In response to the Office Action dated May 16, 2005, please enter the following amendments and remarks in the above-mentioned patent application. The Commissioner is authorized to charge any extensions of time or credit any over charges to Deposit Account No. 23-2020, but not to include any payment of issue fees.

I hereby certify that this Correspondence is being transmitted via facsimile to: 703-872-9306, addressed to the Examiner William Jung, Ph.D. on:

June 28, 2005

(Date of Deposit)

C. David Emhardt

Name of Registered Representative

C. David Emhardt  
Signature

June 28, 2005

Date of Signature

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.